

# **INFORMATION SHEET**

## **DETERMINATIONS OF NO JURISDICTION FOR ISOLATED, NON-NAVIGABLE, INTRA-STATE WATERS RESULTING FROM U.S. SUPREME COURT DECISION IN SOLID WASTE AGENCY OF NORTHERN COOK COUNTY V. U.S. ARMY CORPS OF ENGINEERS**

DISTRICT OFFICE: Saint Paul District  
FILE NUMBER: MVP-2007-1566-WMS  
PROJECT MANAGER: Bill Sande

PROJECT REVIEW/DETERMINATION COMPLETED: In the office? Y ☒ N ☐ Date:4/03/2007  
At the project site? Y ☒ N ☐ Date:4/03/2007

### **PROJECT LOCATION INFORMATION:**

State: WI  
County: Sawyer  
Center coordinates of site by latitude & longitude: 46.0160316311;-91.4701835301  
Approximate size of site/property (including uplands) in acres:4.5  
Name of waterway or watershed: Upper Chippewa

Type of Aquatic Resource1:	0-1 ac	1-3 ac	3-5 ac	5-10 ac	10-25 ac	25-50 ac	> 50 ac	Linear Ft	Unknown
Lake									
River									
Stream									
Mudflat									
Sandflat									
Wetlands		X							
Slough									
Prairie Pothole									
Wet Meadow									
Playa Lake									
Vernal Pool									
Natural Pond									
Other Water (identify type)									

1Check appropriate boxes that best describe type of isolated, non-navigable, intra-state water present and best estimate for size of non-jurisdictional aquatic resource area.

Migratory Bird Rule Factors1	If Known		If Unknown Use Best Professional Judgment		
	Yes	No	Predicted to Occur	Not Expected to Occur	Not Able to Make Determination
Is or would be used as habitat for birds protected by Migratory Bird Treaties?			X		
Is or would be used as habitat by other migratory birds that cross state lines?			X		
Is or would be used as habitat for endangered species?					X
Is used to irrigate crops sold in interstate commerce?				X	

1Check appropriate boxes that best describe potential for applicability of the Migratory Bird Rule to apply to onsite, non-jurisdictional, isolated, non-navigable, intra-state aquatic resource area.

**TYPE OF DETERMINATION:** Preliminary ☐ Or Approved: ☒

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ADDITIONAL INFORMATION SUPPORTING njd (e.g., paragraph 1 site conditions; paragraphs 2-3 rationale used to determine NJD, including information reviewed to assess potential navigation or interstate commerce connections; and paragraph 4 site information on waters of the U.S. occurring onsite): A request for a jurisdictional determination was received for two wetlands identified on a 4.51 acre site proposed for development. Based on a review of a wetland delineation map completed for a previous project, USGS topographic map, Sawyer County Soil Survey, Wisconsin Wetland Inventory map, as well as a site visit on April 3, 2007, it appears a 0.37 acre wet meadow wetland and a 1.68 acre wet meadow/shallow marsh wetland are located within depressions in the landscape with no apparant surface water connection to waters of the United States. The wetlands are not adjacent to waters of the United States, and connections to interstate commerce could not be identified. Therefore, we have determined the two wetlands are isolated and not subject to Corps of Engineeres regulatory jurisdiction.